

REMARKS

The Office Action is incorrect in suggesting that an amendment was filed on 5/17/04. What was actually filed on that date was a copy of an Amendment dated February 14, 2003 and a post card showing receipt of the Amendment in the Patent Office on February 24, 2003. The Amendment was filed February 14, 2003, not 5/17/04. Correction of the record is requested.

Claims 1 - 3 are being cancelled, as requested by the Examiner, and without prejudice to applicant's right to pursue them or similar claims in a related application.


The claims are being amended in light of the Examiner's suggestions. However, not all of the suggested amendments are being made because some of them are unnecessary, contrary to established practice, and/or might actually render the claims indefinite.

Applicant notes that a number of the amendments suggested by the Examiner involve references to additional steps in dependent method claims, with the Examiner's point apparently being that such steps should not be referred to as "the" steps because there is no antecedent basis for them. However, this is not a situation in which an antecedent is required. The widely accepted practice is for method claims (even if they are independent) to call for "the step of" or "the steps of", and applicant finds it rather curious that the Examiner would try to alter that practice. Applicant's attorney has never seen that particular Issue raised in more than 35 years of practice, and if the Examiner has any authority for it, he is requested to cite it. Otherwise, applicant will respectfully decline the Examiner's suggestion to depart from established practice.

With this amendment, the application should be ready for issue.

The Commissioner is authorized to charge any fees required in this matter, including extension fees, to Deposit Account 50-2975, Order No. A-68944.

Respectfully submitted,

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